

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

BEAU J. BINGHAM, *et al.*,

Plaintiffs,

v.

Case No. 17-cv-1727-pp

UNITED STATES OF AMERICA, *et al.*,

Defendants.

ORDER GRANTING MOVANT’S MOTION TO INTERVENE (DKT. NO. 5)

On March 21, 2018, Physicians Plus Insurance Company (“PPIC”) filed a motion to intervene. Dkt. No. 5. The motion stated that PPIC possesses “a subrogation interest relating to the claims asserted in the Complaint,” that “PPIC is so situated that the disposition of the action may, as a practical matter, impair or impede its ability to protect its interest,” and that “PPIC’s interest is not adequately represented by the existing parties.” *Id.* at 1. Defendant United States of America responded on March 26, 2018, dkt. no. 6, and the plaintiff responded on March 30, 2018, dkt. no. 8. Neither party opposed the motion.

Federal Rule of Civil Procedure 24(a) provides:

(a) Intervention of Right. On timely motion, the court must permit anyone to intervene who:

1. is given an unconditional right to intervene by a federal statute; or

2. claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest.

The movant, PPIC, has timely filed its motion, and has stated the required interest under Fed. R. Civ. P. 24(a)(2). Under these circumstances, the court is required to allow PPIC to intervene.

The court **GRANTS** PPIC's motion to intervene. Dkt. No. 5.

The court **ACCEPTS** PPIC's proposed answer, counterclaim and cross-claim. The court **ORDERS** the clerk's office to separately docket each of the following items (filed as attachments to the motion to intervene):

Dkt. No. 5-2 (Magistrate Judge Consent Form)

Dkt. No. 5-3 (Rule 7.1 Disclosure)

Dkt. No. 5-4 (Notice of Appearance)

Dkt. No. 5-5 (Answer, CounterClaim and Cross-Claim)

Dated in Milwaukee, Wisconsin this 26th day of April, 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge